

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 22, and 24-42 are presently active in this case. The present Amendment amends Claims 22, 24-29, 31-33, and 35-37 without introducing any new matter; and cancels Claim 23 without prejudice or disclaimer.

The outstanding Office Action objected to the specification for formal issues, and to the drawings as not showing all the features of dependent Claim 23. Claims 23, 31-33, and 35-37 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 22-23, 31-33, and 35-37 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 22-29 and 31-42 were rejected under 35 U.S.C. § 102(b) as anticipated by Smola et al. (U.S. Patent Publication No. 2002/0008428, now U.S. Patent No. 6,690,556, hereinafter “Smola”). Claim 30 was rejected under 35 U.S.C. § 103(a) as unpatentable over Smola in view of Van Brocklin et al. (U.S. Patent Publication No. 2003/0081445, now U.S. Patent No. 6,703,652 hereinafter “Brocklin”).

In response to the objection to the drawings and the specification, and the rejections of Claims 23, 31-33, and 35-37 under 35 U.S.C. § 112, first and second paragraphs, Applicants’ dependent Claim 23 is cancelled without prejudice or disclaimer, and Claims 31-33, and 35-37 are amended to delete any reference to a “third conductive element.” Moreover, Claims 24-26, 31-32, and 35-37 are amended to change their claim dependency to independent Claim 22. Applicants make these changes in good faith to advance prosecution, but do not admit any of the merits of these objections and rejections.

Moreover, to address the rejection of independent Claim 22 under 35 U.S.C. § 112, second paragraph, as being indefinite, Claim 22 is amended to recite “the second conductive

element not being electrically connected to the integrated circuit chip and the first conductive element” and to correct minor formal issues. These features find non-limiting support in Applicants’ disclosure as originally filed, for example from page 12, line 27, to page 13, line 28, and in Figures 3A and 3B. Moreover, Claims 27-29 and 31 are amended to correct some formal issues. No new matter has been added.

In response to the rejection of Claim 22 under 35 U.S.C. § 102(b), Applicants respectfully request reconsideration of this rejection and traverse the rejection, as discussed next.

Briefly summarizing, Applicants’ independent Claim 22 is directed to an electronic device. The electronic device includes an integrated circuit chip configured to contain or process informative data having security-sensitive content, a first side of the chip comprising at least one first conductive element connected to the integrated circuit, and a second side of the chip comprising at least one second conductive element, the second side being opposite of the first side, the first conductive element and the second conductive element being coupled by inductive coupling, the second conductive element not being electrically connected to the integrated circuit chip and the first conductive element.

Turning now to the applied references, Smola is directed to an integrated circuit with at least on antenna 1 and a transmitting receiving unit 5, that is used for contactless transmission of data. (Smola, Abstract, col. 6, ll. 1-10, Fig. 1.) Moreover, Smola’s integrated circuit also uses protective signals that are generated by a signal generator 3 and fed to antenna 1, that are then analyzed by a signal detector 4. (Smola, col. 6, ll. 22-31.) The detected protective signal can be compared by the signal detector 4 with a reference signal, to see if someone has tampered with antenna 1, for example by mechanical intrusion into the integrated circuit, or by applying contact pins to antenna 1. (Smola, col. 6, ll. 31-65.)

Regarding Smola's Figure 3, a very simplified block diagram showing a plurality of circuit planes 20 that are configured one above the other are shown. (Smola, col. 7, ll. 65-67, Fig. 3.) Circuit sections 10 can be located in one or more of the circuit planes 20 and these circuit sections 10 include the electronic components shown in Smola's Figure 1. (Smola, Fig. 3, col. 8, ll. 1-4.) Smola explains that "[a]ntennas 1 are shown in circuit planes 20 that are configured both above and below the circuit sections 10 in order to detect an attack from both above and below the circuit sections 10." (Smola, col. 8, ll. 15-10.) In other words, there is an electrical connection between antenna 1 in the lower plane of the circuit planes 20, that is connected to the circuit section 10. Therefore, Smola fails to teach that the second conductive element is not electrically connected to the integrated circuit chip and the first conductive element, as required by Applicants' independent Claim 22. Moreover, in Smola, there is no inductive coupling between the two antennas 1 that are arranged on the top and the lower plane of the circuit planes 20, as further required by Claim 22.

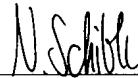
Therefore, the applied reference Smola fail to teach every feature recited in Applicants' Claim 22, so that Claims 22, and 24-42 are believed to be patentably distinct over Smola. The reference Brocklin, used by the pending Office Action to form a 35 U.S.C. § 103(a) rejection, fails to remedy the deficiencies of Smola, even if we assume that the combination of these references is proper. Accordingly, Applicants respectfully traverse, and request reconsideration of the rejection based on these references.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application, and the present application is believed to be in condition for formal Allowance. A Notice of Allowance for Claims 22, and 24-42 is earnestly solicited.

Should the Examiner deem that any further action is necessary to place this application in even better form for allowance, the Examiner is encouraged to contact Applicants' undersigned representative at the below listed telephone number.

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